

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**LEON TOMASZEWSKI**  
**Plaintiff,**

**V.**

**ALLSTATE INSURANCE COMPANY**  
*d/b/a Encompass Insurance*  
*a/k/a Encompass Indemnity*  
**Encompass.**

: **CIVIL ACTION**  
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 : **No.: 19-cv-0080**  
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**LEON TOMASZEWSKI**  
**Plaintiff,**

**V.**

**ALLSTATE INSURANCE COMPANY**  
*d/b/a Encompass Insurance*  
*a/k/a Encompass Indemnity*  
**Encompass.**

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No.: 19-cv-0133  
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## ORDER

**AND NOW**, this 28th day of October, 2022, upon consideration of Defendant's Motion for Summary Judgment (Def.'s Mot. for Summ. J., ECF No. 86),<sup>1</sup> Defendant's Statement of Undisputed Material Facts (Def.'s Statement of Undisputed Mat. Facts, ECF No. 87), Defendant's brief in support of its motion for summary judgment (Def.'s Br., ECF No. 88), Plaintiff's response to the summary judgment motion (Pl.'s Resp., ECF No. 89), Defendant's reply brief in further support of its motion (Def.'s Reply Br., ECF No. 90), and Plaintiff's sur-reply brief in further opposition to the motion for summary judgment (Pl.'s Sur-Reply Br., ECF

<sup>1</sup> The docket entry numbers for the record citations are from the lead case in this consolidated matter (Case No. 19-cv-00080).

No. 94), and for the reasons set forth in the memorandum filed concurrently with this Order, **IT IS HEREBY ORDERED** that Defendant's motion is **GRANTED**.

JUDGMENT IS ENTERED ON THE BAD FAITH CLAIMS in favor of Defendant Allstate Insurance Company d/b/a Encompass Insurance a/k/a Encompass Indemnity and against Plaintiff Leon Tomaszewski. As to the other claims, Plaintiff's breach of contract claims, and, by extension, his declaratory judgment claims against Defendant, have been settled. Because no claims remain pending, this case shall be marked CLOSED.

BY THE COURT:

/s/ Lynne A. Sitarski  
LYNNE A. SITARSKI  
United States Magistrate Judge